

National Human Rights Commission New Delhi, India



Case Details of File Number: 1842/19/13/2012-AD

Diary Number	167091
Name of the Complainant	TEJANG CHAKMA, COMPLAINTS COORDINATOR
Address	ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND FLOOR), JANAKPURI, WEST DELHI, DELHI
Name of the Victim	JASPREET KAUR
Address	R/O VILLAGE. SUKHNA ABLU, PUNJAB, PUNJAB
Place of Incident	KOTBHAI PS, MUKTSAR, PUNJAB
Date of incident	9/30/2012
Direction issued by the Commission	In the instant case, the Commission took suo motu cognizance of an intimation dated 30-9-2012 received from SSP, Sri Muktar Sahib, Punjab about the death of Smt. Jaspreet Kaur on 30-9-2012 while in the custody of P.S. Kotbhai, Distt. Muktar, Punjab. She was arrested in FIR No.76/2012 u/s 306/34 IPC. It was found that she was vomiting while coming out of bathroom of the police station and she was rushed to Civil Hospital, Gidderbaha where she died during the course of treatment. The Commission considered the entire facts of the case on its merits and on finding that the deceased Jaspreet Kaur committed suicide as the Head Constable Amarjeet Singh responsible for guarding her in the police station failed in his duties and the police has also failed to explain how the poisonous substance was supplied to the deceased while she was in their custody, the Commission viewed it as gross negligence on the part of the police which gave an opportunity to the deceased to commit suicide inside the police station by consuming poison and issued a notice u/s 18 of the Protection of Human Rights Act, 1993 to the Govt. of Punjab requiring to show cause why an amount of Rs.1.00Lakh as monetary relief be not recommended to be paid to the next of kin of the deceased Jaspreet Kaur. After issuing the show-cause notice, the Commission vide its proceedings dated 21.2.2017 recommended to the Government of Punjab to pay a sum of Rs.1.00 lakh as monetary relief to the next of kin of the deceased Jaspreet Kaur. Though the above directions were conveyed to the Chief Secretary, Government of Punjab, followed by a reminder, the compliance report along with proof of payment is still awaited. Issue a reminder to the Chief Secretary, Government of Punjab to send compliance report along with proof of payment within a period of six weeks. Since the Commission is seized of the matter on the basis of the intimation received from the SSP, Sri Muktar Sahib, Punjab, regarding the death of Smt.Jaspreet Kaur due to the negligence of the police officials while in custody of PS Kotbhai, on 30.9.2012, the complaints received from (i) Shri Tejang Chakma (Case No. 1842/19/13/2012-AD and (ii) Ms.Amrita Sudan Chakraborty (Case No. 1859/19/13/2012-AD need not be kept pending. Accordingly, these two complaints tagged along with the main file are closed as the Commission would be deciding the case on merits in Case No. 1534/19/13/2012-PCD. The complainants be informed accordingly.
Action Taken	Concluded and No Further Action Required (Dated 9/27/2017)
Status on 9/22/2018	The Case is Closed

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Note: For further details kindly contact National Human Rights Commission, Manav Adhikar Bhawan Block-C, GPO Complex, INA, New Delhi - 110023

For Complaints : Tel.No. 24651330, 24663333. Fax No. 24651332 E-Mail: cr[dot]nhrc[at]nic[dot]in

नोट: अन्य जानकारी हेतु कृपया संपर्क करें राष्ट्रीय मानव अधिकार आयोग, मानव अधिकार भवन, ब्लॉक-सी, जी.पी.ओ. कॉम्प्लेक्स, आई.एन.ए., नई दिल्ली - 110023,

शिकायतों के लिए : फोन नं. 24651330, 24663333 फैक्स नं. 24651332 ई-मेल : cr[dot]nhrc[at]nic[dot]in

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अस्वीकरण : नेट पर प्रकाशित सूचना में, अनजाने में हुई किसी भी गलती के लिए न तो एन.एच.आर.सी. न ही एन.आई.सी. जिम्मेदार है।

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,
INA, NEW DELHI- 110023

Dated 23/10/2017

Case No. 1842/19/13/2012-AD

7 NOV 2017

To

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TEJANG CHAKMA, COMPLAINTS COORDINATOR
ASIAN CENTRE FOR HUMAN RIGHTS, C-3/441-C, (2ND
FLOOR), JANAKPURI,
WEST DELHI, DELHI.

Sir/Madam,

With reference to your complaint dated 26/11/2012, I am directed to say that the matter was considered by the Commission on 27/09/2017. The Commission has made the following directions.

In the instant case, the Commission took suo motu cognizance of an intimation dated 30-9-2012 received from SSP, Sri Mukstar Sahib, Punjab about the death of Smt. Jaspreet Kaur on 30-9-2012 while in the custody of P.S. Kotbhai, Distt. Mukstar, Punjab. She was arrested in FIR No.76/2012 u/s 306/34 IPC. It was found that she was vomiting while coming out of bathroom of the police station and she was rushed to Civil Hospital, Gidderbaha where she died during the course of treatment.

The Commission considered the entire facts of the case on its merits and on finding that the deceased Jaspreet Kaur committed suicide as the Head Constable Amarjeet Singh responsible for guarding her in the police station failed in his duties and the police has also failed to explain how the poisonous substance was supplied to the deceased while she was in their custody, the Commission viewed it as gross negligence on the part of the police which gave an opportunity to the deceased to commit suicide inside the police station by consuming poison and issued a notice u/s 18 of the Protection of Human Rights Act, 1993 to the Govt. of Punjab requiring to show cause why an amount of Rs.1.00Lakh as monetary relief be not recommended to be paid to the next of kin of the deceased Jaspreet Kaur. After issuing the show-cause notice, the Commission vide its proceedings dated 21.2.2017 recommended to the Government of Punjab to pay a sum of Rs.1.00 lakh as monetary relief to the next of kin of the deceased Jaspreet Kaur.

Though the above directions were conveyed to the Chief Secretary, Government of Punjab, followed by a reminder, the compliance report along with proof of payment is still awaited.

Issue a reminder to the Chief Secretary, Government of Punjab to send compliance report along with proof of payment within a period of six weeks.

Since the Commission is seized of the matter on the basis of the intimation received

from the SSP, Sri Muktsar Sahib, Punjab, regarding the death of Smt.Jaspreet Kaur due to the negligence of the police officials while in custody of PS Kothbai, on 30.9.2012, the complaints received from (i) Shri Tejang Chakma (Case No. 1842/19/13/2012-AD and (ii) Ms.Amrita Sudan Chakraborty (Case No. 1859/19/13/2012-AD need not be kept pending. Accordingly, these two complaints tagged along with the main file are closed as the Commission would be deciding the case on merits in Case No. 1534/19/13/2012-PCD. The complainants be informed accordingly.

This is for your information.

Yours faithfully,



ASSISTANT REGISTRAR(LAW)

CC :-